

IN THE UNIT STATES PATENT AND TRADEMARK OFFICE

Re: Appeal to the Board of Patent Appeals and Interferences

PATENT

APPLICATION

3/20/03

In re PATENT APPLICATION of

Inventor(s): Ponce de Leon et al.

Appln. No.:

09/

127,738

Series Code ↑

Serial No. ↑

Group Art Unit: 1682

Examiner.: Wilson

Atty. Dkt. P 0275409

M#

Client Ref

Filed: August 3, 1998

Title: Production of Avian Embryonic Germ (EG) Cell Lines by
Prolonged Culturing of PGCs, Use Thereof for Cloning and
ChimerizationHon. Commissioner of Patents
Washington, D.C. 20231

Sir:

1. **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated November 15, 2002 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable)
4. Reply Brief is attached in triplicate (due two months after Examiner's Answer – unextendable).
5. "Small entity" statement filed: herewith. previously.
6. Fee NOT required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd,	enter	\$320/160
If box 2 above is X'd,	enter	\$320/160
If box 3 above is X'd,	enter	\$280/140
If box 4 above is X'd,	enter nothing	- 0 - (no fee)

8. Original due date: February 15, 2003

9. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo)	\$110/\$55			115/215
	(2 mos)	\$410/\$205			116/216
	(3 mos)	\$930/\$465			117/217
	(4 mos)	\$1,450/\$725			118/218
(Usable only if box 2 is X'd--- 5 mos)		\$1,970/\$985	+\$		128/228

10. Enter any previous extension fee paid previously since above
Original due date (item 8); with concurrently filed amendment

TOTAL FEE = \$160

PLEASE CHARGE
OUR DEP. ACCT.

03/19/2003 AWONDAF1 00000066 033975 09127738

02 FC:2401

160.00 CH

(Our Deposit Account No. 03-3975)

(Our Order No. 015837)

0275409

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M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.
 This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Winthrop LLP
Intellectual Property GroupP.O. Box 10500
McLean, VA 22102
Tel: (703) 905-2000By: Atty: Robin L. TeskinReg. No. 35,030

Atty/Sec: RLT/af

Sig: Robin L. TeskinFax: (703) 905-2500
Tel: (703) 905-2200NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments